

a supply air motor to provide the supply air over a supply air channel to the room to be air-conditioned;

means for controlling the pressure of one of the supply air in the supply air channel and the pressure of the exhaust air;

a cooling-heating means for cooling or warming of the supply air; and

a regulator of a room pressure differential controlling one of the supply air and the exhaust to maintain in the room an excess pressure over an outside pressure to provide a differential pressure turbulence for the purpose of better mixing of room air with the supply air.

(Revise other dependent claims)

REMARKS

Responsive to the final Office action of June 13, 2000, Applicant amended claim 33 in order to overcome the examiner's rejection and clearly distinguish the present invention from the prior art. In making this amendment care has been taken to ensure that the claims remain supported by the specification and that no new matter has been added.

Applicant appreciate the time and consideration provided by Examiner in reviewing this application but respectfully traverses the rejection of claim 33 over Nelson (USPN 5,820,456) and over GB 344,914 for the following reasons.

In other words, the **differential** between the booth air pressure and the ambient air pressure should be maintained **constant** in order to enable a constant flow of air through the spray booth from the intake filter 20 to the exhaust air filter 23. As can be learned from col. 3, lines 54-57, Nelson describes how the turbulence can be substantially eliminated: "By adjusting exhaust air flow in response to the changes in the pressure differential, the pressure differential can be maintained substantially constant and turbulences thereby substantially eliminated."

In contrast, according to the claim 33, it is object of the present invention to maintain in a room an excess pressure over the outside pressure to provide a differential pressure turbulence for the purpose of **better mixing of the room air with the supply air** (see page 1, line 27 and page 2, line 5 of the specification).

Therefore, Nelson clearly teaches away from the present invention.

In GB 344,914 in disclosed an apparatus for ventilation of a set of rooms having means automatically operated to obtain a constant mass flow in the ventilating ducts. This mass flow is controlled by the pressure. Insofar, this reference discloses a method of controlling a ventilating air stream of substantially constant density by maintaining a substantially **constant difference** between the pressure of the still atmosphere and the total or static pressure in the ventilating stream, by utilizing any variation in the pressure difference to modify the resistance to the stream in such a manner as to restore the required pressure difference. In other words, the described method shows how a constant mass flow can be achieved by using the control of the pressure in the ducts. Specifically, the quantity if air for ventilating a set of rooms delivered to or extracted from each room can be varied without affecting the quantities supplied to or extracted from the other rooms. The pressure in the ducts is controlled via dampers for the purpose of a **constant mass flow**.

It is fundamental that to establish a *prima facie* case of obviousness requires three elements:

- a. "[T]here must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings."
- b. "[T]here must be a reasonable expectation of success."
- c. "[T]he prior art reference (or references when combined) must teach or suggest all the claim limitations." M.P.E.P. §§ 2142; 2143.

There is no suggestion, nor motivation in the cited references that the excess pressure in the room over the outside pressure is used for the purpose of better mixing of room air with the supply air.

Thus, both cited references clearly teach away from the present invention and cannot render it obvious. It is respectfully requested that the rejection under sections 102 (b) and 103 over the prior art be withdrawn.

The Commissioner is hereby authorized to charge any fees associated with this communication to our Deposit Account no. 50-0305. If any additional information is required, the Examiner is invited to contact Robert J. Schneider at (312) 845-3919.

Respectfully submitted,

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